



Center for Community Action and Environmental Justice

Centro de Acción Comunitaria y Justicia Ambiental

March 21, 2016

Maryam Tasnif-Abbasi
Department of Toxic Substances Control (DTSC)
5796 Corporate Ave.
Cypress, California 90630

Re: "February 2016 Soil Sampling and Excavation Plan"

Dear Ms. Tasnif-Abbasi:

The Center for Community Action and Environmental Justice (CCA EJ) has reviewed and provides these comments in response to "February 2016 Soil Sampling and Excavation Plan" (Work Plan). CCA EJ finds the Work Plan to be inadequate. CCA EJ submits the following comments/recommendations to the Work Plan:

- 1) Work Plan is inadequate.
CCA EJ recommends that DTSC requires the collection of random soil samples for the full vertical and horizontal characterization of the site, according to federal EPA SW846, 3-D random statistical grid sampling with a 95% Upper Confidence Limit (UCL).
- 2) CCA EJ recommends that DTSC utilize a state certified laboratory.
- 3) CCA EJ strongly recommends that split samples be collected by US EPA and analyzed by an independent certified laboratory
- 4) CCA EJ has found the Work Plan to be inadequate in protecting human health and the environment by proposing a 0.22mg/kg cleanup level for PCBs in soil.

CCA EJ recommends that DTSC require that the property owner achieve or obtain Non Detect (N/D) of COC levels for future residential use in order to protect water quality, public health and the environment. CCA EJ also recommends a Land Use Covenant (LUC) be instituted if DTSC/EPA maintain a soil cleanup level of PCBs at 0.22 mg/kg.

- 5) In the event that sampling data results indicate 0.22 mg/kg level of PCBs in soil, the Work Plan calls for excavation.

CCA EJ recommends instead that the Site be capped or that the property be re-zoned for future commercial/industrial land use.

- 6) Please provide lab analysis for all dioxin-like PCB congeners and dioxin-like furans, and dioxins for all soil samples collected.

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7) CCAEJ recommends that DTSC re-evaluate cleanup levels after analysis of the dioxin-like congeners.

8) CCAEJ recommends inclusion of all previously identified contaminants of concerns (COCs) such as *Mercury, Arsenic, Chromium, Lead, PCBs, Tetrachloroethane, Toluene, Trichloroethane, Dichlorobenzene, Perchlorate, Thallium, Dioxin and Furans for analysis*. CCAEJ also recommends all COCs identified at the Rohr Industry cleanup site be included in the Work Plan for collection and analysis.

9) On page 3, under Cut Lots, first bullet, proposes the collection of step out soil samples in four directions.

CCAIEJ recommends further justification and clarification of this proposed step out action. Our review of this document indicates an enormous amount of soil being overlooked resulting in a massive data gap and lack of statistical verification.

10) On page 6, air monitoring refers back to the 2006 air monitoring plan. That plan was deficient in protecting the health and well-being of the residents surrounding the Site by monitoring particulates instead of COCs.

CCAIEJ recommends continuous, perimeter air monitoring be conducted for all COCs in locations surrounding the site at all times. If at any time, air monitoring detection levels are exceeded, all activity at the Site will cease.

CCAIEJ further recommends a DTSC Industrial Hygienist be on-site during work hours to oversee work activities and possibly perform independent spot checks throughout the Site.

We appreciate your review and serious consideration of our comments and recommendations. We understand that DTSC is scheduled to be at the site tomorrow, March 22nd, to oversee the initiation of the soil sampling, however given the number and severity of comments and potential for data gaps CCAIEJ strongly encourages DTSC to postpone the soil sampling event until all comments have been fully addressed in a revised Work Plan. CCAIEJ looks forward to working collaboratively in a transparent basis with you in resolving our concerns.

Sincerely,



Penny J. Newman
Executive Director

Cc:

Senator Richard Roth
Riverside City Council
Gideon Kracov, DTSC IRP
CalEPA Secretary Matt Rodriguez
CalEPA Deputy Secretary Arsenio Mataka